

Message Text

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ACTION EUR-12

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E.O.11652:N/A
TAGS: EEC, ETRD, EGEN, BE
SUBJECT: EC ANTITRUST INVESTIGATION OF BELGIAN SODA ASH
PRODUCER

REF: BRUSSELS 3482 AND PREVIOUS

1. IN RESPONSE TO A RECENT QUESTION FROM AN EC PARLIAM-
ENTARIAN ON PRICE DISCRIMINATION BY SOLVAY FOR SODA ASH
SUPPLIED TO BELGIAN GLASS PRODUCERS, THE EC COMMISSION
SAID IT WOULD INVESTIGATE SOLVAY'S MARKET POSITION AND
PRICING PRACTICES.

2. TEXT OF COMMISSION STATEMENT FOLLOWS.

BEGIN TEXT: THE COMMISSION IS EXAMINING THE SOLVAY GROUP'S
DIFFERENTIAL PRICING POLICY FOR SODIUM CARBONATE IN THE
VARIOUS MEMBER STATES IN ORDER TO DETERMINE WHETHER THE
DIFFERENCES IN PRICES ARE IN VIOLATION OF ARTICLE 86 OF
THE EEC TREATY. IT MUST ESTABLISH WHETHER THE GROUP
OCCUPIES, FOR THE PRODUCT IN QUESTION, A DOMINANT POSITION
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IN THE COMMON MARKET OR IN A SUBSTANTIAL PART OF IT AND,
IF SO, WHETHER IT IS CHARGING DISCRIMINATORY PRICES.

THE COMMISSION WOULD, HOWEVER, STRESS THAT PRICE DIF-
FERENTIATION IS NOT NECESSARILY CONTRARY TO THE TREATY
RULES ON COMPETITION. THERE MAY BE OBJECTIVE REASONS
WHICH WOULD JUSTIFY SUCH DIFFERENCES, INCLUDING NOTABLY,

AS THE COURT OF JUSTICE POINTED OUT IN ITS CHIQUITA
JUDGMENT OF 18 FEBRUARY 1978, DIFFERENCES IN WAGES,
TRANSPORT COSTS, TAXATION AND CURRENCY PARITIES. END
TEXT.

3. COMMENT: EC ANTITRUST INVESTIGATION MAY HELP US
PRODUCERS OF SODA ASH WHO HAVE HAD DIFFICULTIES ENTERING
THE BELGIAN MARKET (SEE REFTELS).
HINTON

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